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Cable Advisory Committee Meeting Minutes 11-10-04

SELECTMEN'S CABLE TELEVISION ADVISORY COMMITTEE

Minutes of meeting of November 10, 2004

Meeting began @ 7:30 p.m. in the Selectmen's Chambers, Town Hall

Members Present - Phil McCarthy, Bob Chebator, Paul Berg, Jim Walsh and Mike Quinn

Also Present – Jane Lyman, Jeff Munro & Dennis Heslet of Comcast, Bob Scalese of The Advocate, Chuck Sherwood, Jack Hurd, Diane Mahon, Glenn Koenig, Kathy Colwell, John Leone, Dan O'Connol, Steve Galeotalanza, Joe Miksis, Steve Mazzola, and approximately 70 other residents

Mr. McCarthy opened the meeting @ 7:30 p.m. and after welcoming remarks immediately moved to item 1 on the agenda, a Public Hearing, as part of the ascertainment of needs process on Comcast's request for a renewal of their cable television license. Pamela J. St. Amand, a court reporter made an oral record of the proceedings for transcription. The hearing was also live cablecast to Comcast's Arlington subscribers by Dennis Heslet of Comcast.

After setting the ground rules for the conduct of the hearing and entering into the record as Exhibits 1a,b, c and d the Legal Notices publicizing the hearing that appeared in the Boston Herald's of Oct. 25th and Nov.1st and The Arlington Advocates of Oct.28th and Nov.4th 2004, Mr. McCarthy opened the hearing for receipt of statements, comments and questions.

Kathy Colwell, President of Arlington Cable Access spoke about the lack of updated studio equipment, the greatly restricted studio hours and the insufficient staff furnished by Comcast for operation of the PEG access system. She highlighted that under the current model only subscribers to Comcast receive public access programming. She submitted a four page paper entitled ACA Measurable Goals for Public Access in Arlington Massachusetts, Ex.2, which resulted from their own needs assessment collected from a data base of its 300 members, town meeting members and the general public. ACA addressed all public access issues in their submission and put forth a Needs Assessment calling for: establishing advisory groups, improving the poor quality of access broadcasts, outreach and public relations funding and promotion, accessing public access via on demand, interrelations of public access with government and educational access, training and a comprehensive infrastructure and equipment needs listing. She emphasized that plans must take into account not only capital costs for an initial rebuild of PEG infrastructure but also the capital costs of upgrade and replace needs over the 10 year license term particularly as they will face federally mandated conversion to digital broadcasting.

Joe Miksis, MIS Director for the Town spoke about Comcast's old, unreliable analog institutional network. He recounted breakdowns and service issues wherein even as he spoke he has been waiting 14 days for Comcast to respond to a service outage. He called for a new fiber optic digitized institutional network.

Steve Mazzola, Dir. of Technology, Arlington Schools, stated that he has worked over the last year on the schools ascertainment of needs, meeting with Mr. Sherwood, holding focus groups with teachers/administrators and conferring with the Superintendent. He called for the replacement of the outdated cable studio that Comcast's predecessor installed at the high school with the creation of a digital media arts facility that would enable them to run a unified digital media arts program encompassing at the very least graphic arts and music; dedicated high speed internet access for 1300 users with minimum, bi-directional connection speeds of 5mb/sec; and, like Mr. Miksis, replacement of the current coaxial wide area network with fiber optics capable of 1 gb/sec speeds form all

points; and technology funding of at least \$150,000. His written submission was entered into the record as Ex.3.

Glenn Koenig, President of Arlington Community Media, Inc., recounted years of serious neglect as respects PEG access and advocated for a complete takeover of PEG broadcast responsibilities by ACMI, a private, non-profit access cooperation set up last April for that purpose. Controlled by a volunteer board of local residents ACMI proposes contracting with the Town to produce all PEGS programming and envisions operating a full service, community media center with a professional staff hired by and answerable to them. He too lamented the fact that RCN subscribers are denied access programming and pointed out that an access corporation would feed all PEGS programming to all cable subscribers. He cited minimum capital funding needs of \$500,000 estimating \$250,000 for up front capital needs and periodic payments of another \$250,000 over the 10 year license term for upgrading equipment, digital conversion and growth. He proposed annual operational funding be supplied through the Town's extracting 5% of gross cable television revenues from the town's cable operators. He said they would need four channels assigned for PEGS programming with room to grow.

Dan O'Connell, an active access volunteer and ACA board member advocated for low numbered channel allotments for PEG. He also asked for more robotic camera placements in the more frequently used meeting rooms to greatly facilitate cable casting and web streaming of government and public meetings. He emphatically stated that their criticism of Comcast should not reflect on their two access coordinators, Jeff Munro and Dennis Heslet, who he believes, do a tremendous job with the limited resources given them. Several other speakers made the same distinction.

Scott Munsey commented that he found that 80% of the studio equipment was analog and out of date. He called for access broadcasting in stereo sound finding the current mono only output to be severely lacking considering the home receiving equipment in use today. He called for greater access and the need for it to reach all residents.

Lyman Judd hoped the license could contain provisions safeguarding restoration of the Town's streets due to any cable-related disruptions. He called for an access corporation.

David Padrusch, a local film maker, said he found the studio space remarkable but said 75% of the equipment should be discarded. He believes that with the right equipment and more staffing the studio will be a real asset. Management through an access corporation was strongly favored. He offered to assist ACMI and/or the school department with his film making expertise.

Patricia Muldoon, Arlington League of Women Voters stated that the League is on record in support of the widest possible PEG access and will forward their statement reflecting same.

Jerry Hallee, a TMM and former fincom member conservatively calculated that cable television revenue was in the 8 to 10 million range annually from standard cable fees alone and that the operators could easily fund ACMI's capital and operational needs when you consider they are taking in at a minimum 80 to 100 million in cable television fees over the 10 year term of their licenses. He referred to the requested funding as "a drop in the bucket."

Carma Forgie, Charlotte Peirce, Lisa Charles, Cynthia Tollen, Stuart Cleinman, Joe Daly, Diane Mahon, Mary Lou Bigelow, and Elaine Wood, all spoke in support of better PEG access with most voicing support for the access corporation model.

Patricia Gross spoke to service and interactive guide issues and Andrew Fischer addressed a la carte programming issues.

Mr. McCarthy thanked the public for their participation and stated that he would hold the record open for written submissions and Comcast's log of airing the meeting notice until November 20th. He closed the hearing at 9:30 p.m.

On other business Mr. Sherwood stated that the technical audit was complete and that he hoped to have his report to us by November 30th.

The committee discussed the retention of expert cable counsel. Mr. McCarthy reported on the meeting with Bill

Solomon attended by Mr. McCarthy, John Maher, Paul Berg, Glenn Koenig, Kathy Colwell and others. On motion of Mr. Berg, seconded by Mr. Walsh it was VOTED (5-0) to recommend to the BOS that they authorize retention of expert counsel to assist with the Comcast negotiations with a \$20,000 upside limit.

The draft minutes of the meeting of October 6, 2004 were VOTED (5-0) approved on motion of Mr. Berg seconded by Mr. Walsh.

The meeting adjourned at 9:55 p.m.